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December 14, 2015

VIA ECF

Hon. Robert M. Levy
Magistrate Judge
United States District for the
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: Campbell v. Ganguly, No. 14-cv-00188 (E.D.N.Y.)

Dear Magistrate Levy:

This firm represents Plaintiffs James Campbell and Kevin Rudolf in this action. Pursuant to this Court's order dated September 14, 2015, we write with Defense counsel's consent to update the Court on the status of the forfeiture proceeding currently pending in the related criminal action, *U.S. v. Ganguly*, No. 14-cr-00123 (S.D.N.Y.) (the "Forfeiture Proceeding").

As Your Honor may recall from our prior status update on September 10, 2015 [D.I. 35], there were two open issues in the Forfeiture Proceeding that warranted staying this action: (i) the unresolved motion to dismiss a petition brought by another of Ms. Ganguly's victims, which alleged superior claims to a bank account containing more than \$2 million that had been otherwise forfeited and earmarked for victim compensation; and (ii) the extension of the deadline to sell Ms. Ganguly's property on Staten Island until August 1, 2015.

Since our last update to Your Honor, the Parties have monitored the docket in the Forfeiture Proceeding, and Plaintiffs have continued their efforts to communicate with the AUSA charged with overseeing victim restitution. However, the Forfeiture Proceeding remains unresolved and there have been no substantive developments concerning these two open issues: the pending motion to dismiss remains open without oral argument scheduled, and the Staten Island property remains unsold.

Given that the Forfeiture Proceeding remains unresolved, the Parties respectfully request that this Court extend the relief granted pursuant to its order dated June 12, 2015 and stay this action for an additional 90-day period. During this time, Plaintiffs intend to continue engaging with the U.S. Attorney's Office to seek resolution of the Forfeiture Proceeding. Also during this time, the Parties intend to meet and confer to discuss, among other things, the potential need for

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additional discovery, a possible schedule for dispositive motions, and whether the action may be resolved without further litigation.

Counsel for Plaintiffs and Defendants are available at Your Honor's convenience to discuss their joint request, or any other matter.

Respectfully Submitted,



Brian E. Maas

cc: Mark K. Anesh, Esq. (via ECF)